

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

v.

06-CR-112-S

JACOB FALKNER,

Defendant.

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At the May 12, 2006 arraignment, this court set the following schedule:

- 1) A detention hearing will be held on May 17, 2006 at 11:30 a.m.
- 2) The government must provide its required disclosures not later than May 19, 2006 with a continuing disclosure obligation throughout this case. Pursuant to Rule 12, the government has proffered that it intends to use all disclosed evidence in its case-in-chief at trial.
- 3) Defendant must file and serve any pretrial motions and discovery requests not later than June 19, 2006 by noon. Briefs need not accompany the motions. If defendant wants an evidentiary hearing on a motion, then he must ask for it in the caption of each such motion and must provide a nonconjectural factual basis establishing a prima facie entitlement to the relief requested. *See United States v. Toro*, 359 F.3d 879, 885 (7<sup>th</sup> Cir. 2004).
- 4) The pretrial motion hearing and any evidentiary hearing shall be June 22, 2006 at 10:30 a.m. The court will rule on each motion or set it for briefing in consultation with

the parties. Unless the court is taking evidence on a dispositive motion, defendant may waive his presence at the preliminary pretrial conference.

5) Submissions for the final pretrial conference, namely proposed voir dire questions, jury instructions and motions *in limine* must be filed and served not later than July 24, 2006.

6) The final pretrial conference shall be July 26, 2006 at 11:00 a.m. Defendant may waive his presence at the final pretrial conference.

7) The final hearing before the trial judge shall be August 2, 2006 at 3:00 p.m. The defendant and trial counsel must attend this hearing.

8) Jury selection shall begin August 7, 2006 at 9:00 a.m., with jury trial to begin August 9, 2006 at 9:00 a.m. The predicted trial length is one day. The parties are jointly responsible for alerting the clerk of court forthwith if a jury need not be called.

Entered this 15<sup>th</sup> day of May, 2006.

BY THE COURT:  
/s/  
STEPHEN L. CROCKER  
Magistrate Judge